


15 JAN 22 P2:59

SENATE
S. No. **2583**

RECEIVED BY: 

Introduced by Senator TEOFISTO "TG" GUINGONA III

AN ACT
PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY
HEALTH CARE SYSTEM, REPEALING FOR THIS PURPOSE RA 9173
OTHERWISE KNOWN AS THE PHILIPPINE NURSING ACT OF 2002, AND
APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Universal Health Care agenda of the Aquino administration requires health care workers with sufficient preparation and training to respond to the essential health needs of communities. The nurses are among those who play a critical role in achieving the intended goal of making health care services accessible to all Filipinos.


However, the number of unemployed nurses is on the rise as a result of the health system's failure in determining and projecting human resource needs in and out of the country. Plantilla positions in public hospitals remain unfilled, making nurses vulnerable to exploitation and unfair labor practices. In recent years, nurses have been forced to work in job order or contractual terms. Many accept "volunteer" work or pay "training fees" just to be able to work.

To address the major challenges faced by Filipino nurses, this proposed bill seeks to institute measures towards relevant nursing practice, just and human conditions of work, and promotion of professional growth in accordance with the State policy to uphold the dignity of nurses and assume responsibility for the protection, respect, and improvement of the nursing profession.


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Be it enacted by the Senate and the House of Representatives of the Republic of the
Philippines in Congress assembled:

ARTICLE I
General Provisions

1
2
3
4 **Section 1. Title.** – This Act shall be known as the "Comprehensive Nursing Law of
5 2015."

6
7 **Sec. 2. Declaration of Policy.** – It is hereby declared the policy of the state to
8 uphold the dignity of the nurses and assume responsibility for the protection, respect,
9 and improvement of the nursing profession by instituting measures towards
10 competent and relevant nursing practice for health and safety of the public, just and
11 humane conditions of work, and promotion of professional growth. Thus, the State
12 recognizes nurses as prime movers of national development and contributors to
13 international cooperation and understanding.

14
15 The State further guarantees the delivery of accessible, affordable, and available
16 quality health care to all the people through implementation of adequate and
17 competent Nursing Personnel System (NPS) throughout the country.

18 **Sec. 3. Definition of Terms.** – The following terms when used in this act shall mean:

19 (a) *Accredited Professional Organization (APO)*, refers to a professional
20 organization of nurses duly accredited by the Professional Regulation
21 Commission as per R.A. No. 8981.

22 (b) *Advanced Practice Nurse (APN)*, refers to a nurse who acquired substantial
23 theoretical knowledge and decision making skills in the specialty area of
24 nursing practice and proficient clinical utilization of this knowledge in

- 1 implementing independent and inter-dependent nursing interventions.
2 Specialties can be differentiated in categories, according to function, disease,
3 pathology, systems, age, sex, acuity, setting, technology, and therapies. They
4 must be given credentialing/ certification by the Board. An APN must be a
5 master's degree holder in nursing.
- 6 (c) *Bachelor of Science in Nursing (BSN)*, refers to the basic program for nursing
7 education.
- 8 (d) *Certification/ Credentialing* refers to the process undertaken by an individual
9 nurse to be recognized to practice in a specifically defined professional tract
10 i.e. General Nursing, Nursing Specialty/ Advanced Practice, Nursing
11 Education, and Leadership and Governance. The Board confers the
12 certification or credential after a validation process based on promulgated
13 guidelines and mechanisms.
- 14 (e) *Commission on Higher Education (CHED)*, refers to the body created by law
15 to promulgate policies, standards and guidelines in the implementation of
16 basic and graduate program for nursing education.
- 17 (f) *Health Facility* refers to an institution, establishment, clinic that offers health
18 services and nursing care, such as hospitals, barangay health centers, and
19 clinics.
- 20 (g) *Nurse*, as provided for in this Act, refers to a person who passed the
21 Philippine Nurse Licensure Exams (PNLE) and whose license has not been
22 revoked by the law. Thus, it pertains to a Registered Nurse (RN). A nurse
23 may append before his/ her name the title "Nurse", "Nars", or "Nrs." or after
24 his/ her name the title R.N.
- 25 (h) *Nursing Personnel System (NPS)*, refers to a system of human resource
26 management in an institution that classifies the structure, organization, and
27 coordination within the workforce both in private and public health care
28 facilities and nursing educational institutions to advance the welfare and
29 protect the rights of the nurses and to ensure the employer-employee
30 relationship, security of tenure, just compensation, humane conditions of
31 work, and professional growth.
- 32 (i) *Philippine Nurse Licensure Exams (PNLE)*, refers to a written examination
33 given by the Board in order to obtain license to practice nursing.
- 34 (j) *Precarious Work* is the term used to described substandard employment
35 conditions, such as under-payment, absence of salary, no security of tenure,
36 lack of employer - employee relationship, no benefits, poor working
37 conditions; and, deviation from the standard employment relationships, such
38 as contractual, false volunteerism, job orders thru agencies, part time, self-
39 employment, fixed term work, temporary, on call, home workers, call center
40 jobs, few benefits, lack of collective bargaining representation, and no job
41 security.

- 1 (k) *Professional Regulation Commission* (PRC), refers to the government agency
2 pursuant to Republic Act No. 8981 or as may hereafter be amended or
3 repealed. It shall be referred to in this law as the Commission.
- 4 (l) *Professional Regulatory Board of Nursing* (PRBON), refers to the
5 administrative body created by law to supervise and regulate the practice of
6 the nursing profession in the Philippines. As such, the Board shall be the
7 ultimate authority in the practice of the profession in the Philippines. It shall be
8 referred to in this law as the Board.
- 9 (m) *Public Health Institution* (PHI), refers to any government-led, owned or
10 controlled institutions which pursues and realizes the lofty goals and
11 objectives of providing and managing safe, efficient, effective and quality
12 public health programs and services and advocacies for health, in all levels of
13 the Health Care Delivery System (HCDS – national to local) which include
14 among others: Rural Health Units (RHUs/ Barangay Health Centers);
15 Research Facilities e.g. Research Institute for Tropical Medicine, etc.;
16 Training Resource Facilities e.g. the U.P. College of Public Health and State
17 or Local Colleges or Universities offering Health-Related Programs; the
18 Department of Health and all retained Health Facilities, and the like.
- 19 (n) *Special Permit* refers to the permit to practice nursing in the Philippines
20 issued by the Board to licensed nurses of foreign nationalities.
- 21 (o) *Temporary Permit* refers to the permit to practice nursing in the Philippines
22 issued by the Board to Filipino nurses, who does not have a professional
23 license from the Philippines or have not renewed their license for five (5)
24 years, but are licensed from foreign countries.

25 **ARTICLE II**
26 **Board of Nursing**

27
28 **Sec. 4. Creation and Composition of the Board.** – There shall be created a
29 Professional Regulatory Board of Nursing composed of seven (7) members who shall
30 elect among themselves a Chairperson to serve for one (1) term, without re-election.
31 The President of the Republic of the Philippines shall appoint the members of the
32 Board from among those recommended by the Commission and ranked from a list of
33 three (3) nominees, per vacancy, of the accredited professional organization of
34 nurses in the Philippines and who possess the qualifications in this Act. *Provided,*
35 that the membership of the Board shall comprise the scope of nursing practice.
36

37 **Sec. 5. Qualifications of the Members of the Board.** – The members of the Board
38 must possess the following qualifications:

- 39 (a) Must be a natural born citizen and resident of the Philippines for the past
40 five (5) consecutive years;
- 41 (b) Must be a Nurse in the Philippines and a holder of a valid and updated
42 certificate of registration and a current professional identification card;

1 (c) Must be a holder of a master's degree in nursing and preferably with a
2 doctorate degree conferred by a university duly recognized by the
3 government;

4 (d) Must have at least ten (10) years of continuous practice of the nursing
5 profession prior to appointment. *Provided*, however, That the last five (5)
6 years of which must be in the Philippines; and

7 (e) Must be of good moral character and has not been convicted of any
8 offense involving moral turpitude.

9
10 **Sec. 6. Prohibition as Member of the Board.** – A member of the Board shall not
11 hold a position nor have pecuniary interest in any educational institution offering
12 BSN, any review or training center for PNLE, training hospitals and health facilities
13 with nursing affiliates.

14
15 **Sec. 7. Term of Office.** – The members of the Board shall hold office for a term of
16 three (3) years. Any member of the Board may serve for two (2) terms or a maximum
17 of six (6) years.

18
19 **Sec. 8. Vacancy.** - Any vacancy in the Board must be filled in the manner prescribed
20 in this Act and only for the unexpired portion of the term. Each member of the Board
21 shall take the proper oath of office prior to the performance of duties.

22 **Sec. 9. Compensation.** - The members of the Board shall receive compensation and
23 allowances comparable to the compensation and allowances received by the
24 members of other regulatory boards.

25
26 **Sec. 10. Administrative Supervision of the Board, Custodian of its Records,**
27 **Secretariat and Support Services.** – The Board shall be under the administrative
28 supervision of the Commission. All records of the Board, including applications for
29 examinations, administrative and other investigative cases conducted by the Board
30 must be under the custody of the Commission. The Commission shall designate the
31 Secretary of the Board and shall provide the secretariat and other support services to
32 implement the provisions of this Act.

33
34 **Sec. 11. Powers and Duties of the Board.** – The Board shall supervise and
35 regulate the practice of the nursing profession and shall have the following powers,
36 duties and functions:

37 (a) Ensure the proper conduct of the PNLE, which includes the application, test
38 development, examination, correction and release of results. The use of
39 appropriate technologies and modalities during the conduct of the PNLE is
40 encouraged to enhance efficiency while upholding integrity;

41
42 (b) Issue, suspend, revoke or reissue certificates of registration for the practice of
43 nursing and ensure the widest publication through electronic and written media;

44
45 (c) Enforce and monitor safe and quality standards of nursing practice, study the
46 conditions affecting the nursing practice in the Philippines, and exercise the
47 powers necessary to ensure the maintenance of efficient, ethico-moral, technical

1 and professional standards in the practice of nursing towards the optimal health
2 and common good of the nation;

3
4 (d) Ensure quality nursing education by examining and monitoring higher educational
5 institutions offering and seeking permission to open nursing education programs
6 and to ensure that standards of nursing education are properly complied with and
7 maintained at all times. *Provided*, that the Board and the CHED shall have joint
8 authority to open and close nursing education programs offered by higher
9 educational institutions;

10
11 (e) Conduct hearings and investigations to resolve complaints against actively
12 practicing nurses for unethical and unprofessional conduct and violations of this
13 Act, or its rules and regulations and in connection therewith, issue *subpoena*
14 *duces tecum* and *subpoena ad testificandum* to require the appearance of
15 respondents and witnesses and the production of documents and penalize with
16 contempt persons obstructing, impeding or otherwise interfering with the conduct
17 of such proceedings, upon application with the Board of Nursing;

18
19 (f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
20 profession in coordination with the APO of nurses within a year from the effectivity
21 of this Act;

22
23 (g) Prescribe and operationalize, via necessary infrastructures, a National Nursing
24 Career Progression Program to ensure continuing professional development of
25 Filipino nurses, create the Council for Nursing Advancement, Recognition, and
26 Specialization as well as the various Nursing Specialty Boards to assist the Board
27 for this purpose;

28
29 (h) Ensure performance of mandated duties and functions with the provision of
30 operational resources including human, financial and spatial resources to ensure
31 the confidentiality and sanctity of their functions as provided through the annual
32 budget of the Commission as promulgated in the General Appropriations Act;

33
34 (i) Source and utilize funds earmarked for national nursing development; and

35
36 (j) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and
37 influence authorities and agencies on decision-making as may be necessary for
38 the improvement of nursing practice, advancement of the profession, and for the
39 proper and full enforcement of this Act, subject to review and approval by
40 Commission.

41
42 (k) Create a council for nursing recognition, accreditation and certification that will
43 assist the Board in:

44 a. Recognizing organized nursing groups;

45
46 b. Setting standards for advanced nursing practice, education, research, and
47 management;

48

- 1 c. Accrediting specialty and advanced nursing programs based on
2 established mechanisms;
3
4 d. Credentialing individual registered nurse based on accepted criteria; and
5
6 e. Monitoring and evaluating specialty and advanced nursing practice,
7 education, research and management.
8

9 **Sec. 12. Annual Report.** – The Board shall, at the close of its calendar year, submit
10 an annual report to the President and Congress of the Philippines through the
11 Commission giving a detailed account of its proceedings and the accomplishments
12 during the year and making recommendations for the adoption of measures that will
13 upgrade and improve the conditions affecting the practice of the nursing profession.
14

15 **Sec. 13. Removal or Suspension of Board Members.** – The President may
16 remove or suspend any member of the Board, after due process, on the following
17 grounds:

- 18 (a) Continued neglect of duty or incompetence;
19 (b) Commission or toleration of irregularities in the PNLE; and,
20 (c) Unprofessional, immoral or dishonorable conduct.
21

22 **ARTICLE III**
23 **Examination and Registration**
24

25 **Sec. 14. Philippine Nurse Licensure Examination (PNLE).** – In order to obtain a
26 certificate of registration, professional license, and professional identification card, all
27 nursing graduates must take and pass the PNLE. The Board shall administer the
28 PNLE in such place and date as designated by the Commission: *Provided*, That no
29 nursing educational institution may withhold any requirement or documents, or both,
30 of any nursing graduate for the purpose of preventing them to apply for the PNLE. All
31 nursing educational institution must ensure that their nursing graduates will take the
32 nearest scheduled PNLE after graduation. Any delay in taking the PNLE must be
33 accordingly justified by the President, Registrar or Dean of the educational institution
34 through a public instrument.
35

36 **Sec. 15. Scope of Examination.** – The Board shall determine the scope of the
37 PNLE by taking into consideration the nursing core competencies, the nursing
38 curriculum, the scope and areas of nursing practice, and other related disciplines.
39

40 **Sec. 16. Qualifications for Admission to the PNLE.** – In order to be admitted to the
41 PNLE, an applicant:

- 42 (a) Must be a holder of a Bachelor of Science in Nursing degree from a
43 recognized educational institution that complies with the standards of
44 nursing education duly recognized by CHED;
45 (b) Must be of good moral character and have not been convicted, by final

1 judgment, of any criminal offense involving moral turpitude or guilty of
2 immoral or dishonorable conduct, or any person declared by the court to
3 be of unsound mind; and,

- 4 (c) Must be a citizen of the Philippines, or a citizen or subject of a country
5 which permits Filipino nurses to practice within its territorial limits on the
6 same basis as the subject or citizen of such country; *Provided*, That the
7 requirements for the registration or licensing of nurses in said countries
8 are substantially the same as those prescribed in this Act.

9 **Sec. 17. Fees for Examination and Registration.** – Applicants for licensure and for
10 registration must pay the prescribed fees set by the Commission.

11 **Sec. 18. Ratings.** – In order to pass the PNLE, an examinee must obtain at least
12 seventy-five percent (75%) of tested areas of all competencies. An examinee who
13 has failed the PNLE three (3) times shall be barred from taking any further PNLE.
14

15 **Sec. 19. Issuance of Certificate of Registration, Professional License and**
16 **Professional Identification Card.** – A certificate of registration and professional
17 license shall be issued to all successful examinees, subject to Section 14 of this
18 Article. A certificate of registration and professional license shall show the full name
19 of the registrant, the signature of the Chairperson of the Commission, and the
20 members of the Board. The certificate shall bear the logo of the Board and the official
21 seal of the Commission.
22

23 The Commission shall likewise issue the professional identification card. The card
24 must bear the following: full name of the registrant nurse, the serial number, the date
25 of issuance and expiration, the signature of the Chairperson of the Commission; date
26 of registration.
27

28 **Sec. 20. Oath of Profession.** – All successful examinees must take an oath of
29 profession before the Board or any government official authorized to administer oaths
30 prior to entering upon the nursing practice.
31

32 **Sec. 21. Roster of Nurses.** – The Commission shall maintain a roster of nurses
33 pursuant to the PRC Automated System. The Roster of Nurses shall serve as the
34 centralized database for nursing professionals for purposes of documentation,
35 verification of registrants, statistics, research, and development.
36

37 **Sec. 22. Registration by Reciprocity.** – The Board may issue a certificate of
38 registration/ professional license, without examination, to a nurse registered under
39 the laws of a foreign state or country: *Provided*, That the requirements for registration
40 or licensing of nurse in said country are substantially the same as those prescribed
41 under this Act: *Provided further*, That the laws of such state or country grants the
42 same privileges to Professional Registered Nurse of the Philippines on the same
43 basis as the subjects or citizens of such foreign state or country.
44

45 **Sec. 23. Practice Through Special or Temporary Permit.** – The Board may issue a
46 special or temporary permit to the following persons based on qualification, and

1 professional and moral standards as approved by the Commission: *Provided*, that a
2 completion report will be submitted to the Commission after every mission, to wit:

3
4 (a) Licensed nurses from foreign countries whose services are either for a fee or
5 free if they are internationally well-known specialists or outstanding experts in
6 any branch or specialty of nursing;

7 (b) Licensed nurses from foreign countries on medical mission whose services
8 shall be free in a particular hospital, center or clinic;

9 (c) Licensed nurses from foreign countries who are engaged by
10 colleges/universities offering the nursing program as exchange professors in
11 a branch or specialty of nursing; and,

12 (d) Licensed nurses from foreign countries who come to aid during declared
13 disasters and calamities.

14
15 The special or temporary permit shall be effective only for the duration of the project,
16 medical mission or engagement contract.

17
18 **Sec. 24. Non-registration and Non-issuance of Certificate of Registration,**
19 **Professional License, Professional Identification Card, Special Permit or**
20 **Temporary Permit.** – No person convicted by final judgment of any criminal offense
21 involving moral turpitude or any person guilty of immoral or dishonorable conduct or
22 any person declared by the court to be of unsound mind may be registered and
23 issued a certificate of registration, professional license, professional identification
24 card, or a special or temporary permit.

25
26 The Board shall furnish the applicant a written statement setting forth the reasons for
27 the actions, which shall be incorporated in the records of the Board.

28
29 **Sec. 25. Revocation and Suspension of Certificate of Registration, Professional**
30 **License, and Professional Identification Card and Cancellation of Special or**
31 **Temporary Permit.** – The Board shall have the power to revoke or suspend the
32 certificate of registration, professional license, professional identification card, or
33 cancel the special or temporary permit of a nurse upon any of the following grounds:

34
35 (a) Conviction, by final judgment, of any criminal offense involving moral
36 turpitude or guilty of immoral or dishonorable conduct or any person
37 declared by the court to be of unsound mind;

38 (b) Violation of this Act, its policies, rules and regulations, and of the
39 Philippine Code of Ethics for Nurses;

40 (c) Gross negligence, grave misconduct, ignorance, and incompetence in the
41 nursing practice;

42 (d) Fraud, concealment, misrepresentation, or false statements in obtaining a
43 certificate of registration, professional license, professional identification
44 card, special permit or temporary permit

1 (e) Practice of the nursing profession pending suspension of license.

2 The suspension of the certificate of registration, professional license, and
3 professional identification card, shall be for a period not to exceed four (4) years.

4
5 **Sec. 26. Reinstatement and Re-issuance of Revoked Certificates of**
6 **Registration, Professional License, and Professional Identification Card.** – The
7 Board may, after the expiration of a maximum of four (4) years from the date of
8 revocation of a certificate of registration, professional license, and professional
9 identification card, for reasons of equity and justice, and when the cause for
10 revocation has disappeared or has been cured and corrected, upon proper
11 application thereof and the payment of the required fees, reinstate and re-issue the
12 certificate of registration, professional license, and professional identification card.

13
14 **ARTICLE IV**
15 **Nursing Practice**
16

17 **Sec. 27. Nursing Practice.** – The administration of nursing care through the
18 utilization of the nursing process: assessment, nursing diagnosis, planning,
19 implementation, and evaluation. Nursing practice encompasses various stages of
20 development towards the promotion of health, prevention of illness, health care
21 techniques and procedures, restoration of health, alleviation of suffering, and end-of-
22 life care, may it be performed independently or collaboratively.

23
24 **Sec. 28. Scope of Nursing Practice.** – The following are the scope of nursing
25 practice: (1) nursing education; (2) nursing service; (3) nursing research; and, (4)
26 nursing leadership and governance.

27
28 **Sec. 29. Nursing Care.** – includes, but is not limited to: the provision of
29 physiological, psychological, spiritual, social and emotional care; essential health
30 care, safety and comfort measures, health teachings; executing health care
31 techniques and procedures; and, traditional and innovative approaches to individuals,
32 families, population groups and communities from conception to death.

33 A nurse shall be deemed to be practicing nursing when he or she, for a fee, salary or
34 compensation, singly or collaboratively, performs nursing care to individuals, families,
35 population groups, and communities.

36
37 **Sec. 30. Roles, Responsibilities, and Competencies of a Nurse.** – A nurse shall
38 possess and exercise the core competencies in the performance of the roles and
39 responsibilities, in accordance with the standards set by the Board.

40
41 **Sec. 31. Continuing Professional Development (CPD).** – All nurses shall
42 undertake CPD programs. The Board shall provide a mechanism to continuously
43 improve and enhance the nurses' competence by updating them on the latest
44 scientific, technological, ethical and other applicable trends in the local and global
45 practice of nursing. CPD programs shall be offered by authorized providers
46 accredited by the Board.

47
48 **Sec. 32. Requirement for Inactive Nurses Returning to Practice.** – Nurses are

1 deemed to be inactive when:

2 (a) They are not utilizing nursing competencies as defined in the scope of nursing
3 practice for five (5) consecutive years;

4 (b) They have not renewed their professional identification card for five (5) years;
5 and

6 (c) They do not have proof of five (5) years of continuous nursing practice.
7

8 Inactive nurses are required to undergo one (1) month didactic training and three (3)
9 months practicum in hospitals accredited by the Board
10

11 **ARTICLE V**
12 **Nursing Education**
13

14 **Sec. 33. Nursing Education.** – Refers to the formal learning and training in the
15 science and art of nursing provided by higher educational institutions duly recognized
16 by the CHED.
17

18 There shall be a standard of Basic and Graduate Program for Nursing Education
19 which must be pursuant to the CHED Law (RA 7722).
20

21 **Sec. 34. Basic Program for Nursing Education.** – Refers to the nursing education
22 program which envisions providing sound liberal and professional education and
23 equips basic nursing students with the necessary competencies for entry - level safe
24 and quality nursing practice.
25

26 Admission to the Basic Program for Nursing Education requires passing a National
27 Nursing Admission Test (NNAT).
28

29 The curriculum and the Related Learning Experiences (RLE) must be in accordance
30 with the National Nursing Core Competency Standards promulgated by the Board
31 and implemented through the Policies, Standards, and Guidelines of the CHED.
32

33 **Sec. 35. Graduate Program for Nursing Education.** – Refers to the post
34 baccalaureate nursing program, which builds on the experiences and skills of a nurse
35 towards mastery, expertise, and leadership in practice, research, and education. It
36 includes a master's degree and doctorate degree in nursing founded on the
37 philosophies, and the scientific body of knowledge and practice.
38

39 Graduate Program for Nursing Education shall be offered only in higher educational
40 institutions as prescribed by the prevailing CHED Policies, Standards and Guidelines
41 (PSG) for Graduate Education.
42

43 **Section 36. Qualifications of the Dean.** – The Dean of the College of Nursing
44 (Dean) shall formulate policies, plans in collaboration with the administration/ school
45 officials and stakeholders. The Dean must adhere to the prescribed curriculum for the
46 advancement of nursing education.
47

1 The Dean:

2

3 (a) Must be a holder of a certificate of registration and a current professional
4 identification card issued by the Commission;

5 (b) Must have the appropriate certificate of nursing proficiency, or its equivalent,
6 to be issued by the BON;

7 (c) Must be a holder of a master's degree in nursing, conferred by a university
8 duly recognized by the Government of the Republic of the Philippines;

9 (d) Must have at least five (5) years of experience in teaching and supervision in
10 Nursing Education; and

11 (e) Must have at least three (3) years clinical experience in a general nursing
12 service.

13 **Sec. 37. Qualifications of the Faculty. --**

14 (1) Basic Program for Nursing Education. -- A member of the faculty in a College of
15 Nursing teaching professional courses:

16 (a) Must be a registered nurse in the Philippines and holder of a certificate of
17 registration and a current professional identification card issued by the
18 Commission;

19 (b) Must have at least three (3) years of nursing practice;

20 (c) Must be a holder of a master's degree in nursing, conferred by a
21 university duly recognized by the Government of the Republic of the
22 Philippines; and

23 (d) Must have the appropriate certificate of nursing proficiency, or its
24 equivalent, to be issued by the BON.

25 (2) Graduate Program for Nursing Education. -- A member of the faculty teaching
26 graduate professional courses:

27 (a) Must follow prescriptions 1 and 2 of basic nursing education; and

28 (b) Must be a holder of a doctoral degree in nursing conferred by a university
29 duly recognized by the Government of the Republic of the Philippines.

30 **Sec. 38. Faculty -- Student Ratio.** -- There must be a faculty to student ratio to be
31 determined by the CHED.

32

33

34

35

33 **ARTICLE VI**
34 **Nursing Service**

35
36 **Sec. 39. Nursing Service.** -- Is the promotion of health and prevention of illness
37 which includes, but not limited to, nursing care provided by a nurse, either
38 independently or collaboratively, to any individual, family or group in various health

1 care settings.

2
3 Nursing Service shall include the following functions: (1) Provide health education to
4 individuals, families and communities; (2) Ensure that information on healthy lifestyle
5 are incorporated in his or her health teachings; (3) Seek opportunities to promote a
6 healthy lifestyle within his or her influence; (4) Accept that he or she is a role model
7 for a healthy lifestyle; (5) Enable people to increase control over their health and to
8 improve health; (6) Build healthy public policy; (7) Create supportive environment; (8)
9 Strengthen community action for health; and, (9) Establish linkages with community
10 resources and coordination of services with the health team.

11
12 **Sec. 40. Nursing Interventions.** – In accordance with Sec. 27 and 29, nursing
13 interventions include, but is not limited to: any or combination of essential primary
14 health care, the application of traditional and innovative approaches, health
15 counseling, and administration of written prescription for treatment, therapies, oral,
16 topical, and parenteral medications, perform peripartal care covering pre-intra-
17 postpartum care including the performance of internal examination during labor in the
18 absence of antenatal bleeding, attend to normal delivery and suturing of perineal
19 laceration and immediate care of the newborn; perform perioperative care covering
20 pre-intra-post surgical care interventions; care during emergency and disaster.

21
22 **Sec. 41. Health Interventions in Collaboration with Other Members of the Health**
23 **Team.** – From promotion of health to end-of-life care, Nurses collaborates with other
24 members of the health team.

25
26 **Sec. 42. Advanced Practice Nursing.** – Is a specialized and expanded nursing care
27 pursuant to Sec. 45 hereof. Advanced Practice Nursing is specialty training, through
28 an Advanced Practice Nursing Program formulated by the concerned agencies with
29 certification to be issued by the Board after passing the qualifying examination. An
30 RN who seeks to be an APN must have a master's degree in Nursing.

31 32 ARTICLE VII

33 Nursing Research, Policy Development, and Planning

34
35 **Sec. 43. Nursing Research and Policy Development.** – Shall involve study and
36 pursuit of nurse related issues encompassing the following areas:

- 37 (a) Professional nursing practice such as advancing nursing knowledge to ensure
38 quality nursing care for all and advocacy for sound health policies globally.
- 39 (b) Nursing regulation on credentialing, code of ethics, standards and
40 competencies.
- 41 (c) Socio-economic welfare for nurses like occupational health and safety, human
42 resources planning and policy, remuneration, career development.

43
44 **Sec. 44. Studies for Nursing Human Resource Needs, Production, Utilization**
45 **and Development.** – The Board, in coordination with the accredited professional
46 organization and appropriate government or private agencies shall initiate, undertake
47 and conduct studies on healthcare human resources production, utilization and

1 development.

2 **Sec. 45. Advanced Practice Nursing Program.** – Within ninety (90) days from the
3 effectivity of this Act, the Board in coordination with the accredited professional
4 organization, recognized specialty organizations, and the Department of Health is
5 hereby mandated to formulate and develop a Advanced Practice Nursing Program
6 that would upgrade the level of skill and competence of specialty nurse clinicians in
7 the country, such as, but not limited to, the areas of critical care, oncology, renal and
8 such other areas as may be determined by the Board: Provided, that the
9 beneficiaries of this program are obliged to serve in any Philippine hospital for a
10 period of at least two (2) years continuous service.

11
12 **Sec. 46. Funding for the Advanced Practice Nursing Program.** – The annual
13 financial requirement needed to train at least ten percent (10%) of the nursing staff of
14 the participating government hospital shall be chargeable against the income of the
15 Philippine Charity Sweepstakes Office (PCSO) and the Philippine Amusement and
16 Gaming Corporation (PAGCOR), which shall equally share in the costs and shall be
17 released to the Department of Health subject to accounting and auditing procedures.
18 *Provided*, That the Department of Health shall set the criteria for the availment of this
19 program.

20
21 **Sec. 47. Salary.** – The minimum base pay of nurses working in the governmental
22 health institutions, upon entry, shall not be lower than salary grade (SG) "15". This is
23 to enhance the general welfare, commitment to service, and professionalism of
24 nurses. In non – governmental and/or private health institutions, the minimum base
25 pay for the nurses upon entry shall be equivalent to that of SG "15" in the public
26 hospital.

27
28 **Sec. 48. Incentives and Benefits.** – The Board, in coordination with the DOH, other
29 concerned government and non-government institutions, association of hospitals and
30 the APO, shall establish an incentive and benefit system in the form of free hospital
31 care for nurses and their dependents, scholarship grants and other non-cash
32 benefits.

33
34 **ARTICLE VIII**
35 **Nursing Leadership and Governance**
36

37 **Sec. 49. Nursing Leadership.** – Nursing is a dynamic field that requires leaders who
38 will go through the changing aspects of the health sector as they are part of the
39 workforce that will toil and labor for the improvement of the health of the citizenry.
40 Nurses adapt specific roles in organizational structure, from being the policy makers
41 in health facilities and giving guidance to senior management on best practices in
42 nursing and patient care. They work with healthcare leaders to establish
43 compensation and benefit programs and are involved in nurse recruitment, training
44 and retention. Thus, nurses in the management positions shall develop patient-care
45 programs, manage nursing budgets, plan new patient services, establish nursing
46 policies and procedures, participate in cross-departmental decision making, conduct
47 performance improvement activities and represents the scope of nursing practices at
48 Board of director meetings and other stakeholder.

49
50 **Sec. 50. Nursing Governance.** – Governance in nursing practice is shifting from the

1 traditional view that nurses are subordinate and passive employees towards having
2 more proactive involvement of taking charge of the organization to be the antecedent
3 in decision making and implementation of plans and policies for the patients and
4 communities. Governance in the practice of nursing shall empower each nurse in
5 decision-making over their professional practice while extending their power and
6 control over the administrative aspect of their practice.

7
8 **ARTICLE IX**
9 **Nursing Personnel System**

10 **Sec. 51. Nursing Personnel System.** – The nursing personnel system covers the
11 following fields: nursing service administration in the hospital setting, community
12 health practice, and the academe.

13 There shall be a nursing service office in every health institution, may it be
14 administrative or clinical, with at least ten nurses. The nursing service office must be
15 under the control and management of a chief nursing officer.

16
17 **Sec. 52. Ratio.** – The ratio of a staff nurse to a patient in a general nursing service or
18 general ward of a hospital shall be set at least 1:12, in order to effectuate the quality
19 nursing care for patients. There shall be a nurse for every barangay and industrial
20 establishments: *Provided*, that the nurse shall supervise other health workers in the
21 work area.

22
23 There shall be a nurse for every school, may it be private or public, primary,
24 secondary or tertiary, subject to the applicable ratio prescribed by the appropriate
25 government agency.

26
27 **Sec. 53. Beginning Registered Nurse.** – Beginning registered nurse provides for
28 safe and quality care to an individual, family, or group that is independent or provided
29 as part of a team by a nurse is able to assess, plan, implement, and evaluate care
30 provided to clients based on evidence derived from research.

31
32 A beginning registered nurse must have the following minimum qualifications:

33 (1) Must be a Bachelor of Science in Nursing graduate from a higher educational
34 institution recognized by the CHED;

35 (2) Must be a registered nurse with current certificate of registration and
36 professional identification card issued by the Commission;

37 (3) Must be physically, mentally and psychologically fit to practice nursing; and

38 (4) Must not be convicted of any crime involving moral turpitude.

39
40 **Sec. 54. Nursing Service Management.** – Refers to the Management and
41 Administration of Nursing Services by Nurses equipped with the necessary
42 competencies on governance and leadership characterized to wit:

43
44 (1) *First Level Manager*, is responsible directly for the physical set –up of the unit,

1 structure and other human resources for health care provision.

2 (2) *Middle level Manager*, is responsible for the department or section handling more
3 than one (1) or two (2) units, takes care of the financial, logistic, operational
4 functions and others.

5 (3) *Top Level Manager*, oversees all nursing units in terms of financial and human
6 resources for health such as nurses and nursing assistants/ adjuncts.

7 Nursing Service Managers must have the following minimum qualifications in addition
8 to the requirements of a Beginning Registered Nurse:

9
10 (a) *For first level managerial position in nursing*, eighteen (18) units of nursing
11 management and clinical subjects in Master of Arts in Nursing or Master of
12 Science in Nursing, at least three (3) years of clinical work experience, and
13 participated in at least one (1) research project to improve quality of care;

14 (b) *For middle level managerial position in nursing*, completed all academic
15 requirements in Master of Arts in Nursing or Master of Science in Nursing and at
16 least three (3) years of clinical work and two (2) years of management
17 experience, and initiated at least one (1) one (1) research project to improve
18 quality of care;

19 (c) *For top level managerial position in nursing*, a post-graduate degree in nursing or
20 health management – related sciences and at least three (3) years of clinical
21 work and three (3) years of management experience, and initiated at least two (2)
22 research projects to improve quality of care; and

23 (d) *For all managerial positions* – Present the appropriate Certificate of Nursing
24 Proficiency, or its equivalent, from the Board in observance of the Nursing
25 Leadership and Governance Certification Program (Nurse Administrator I, Nurse
26 Administrator II, Nursing Administration Specialist).

27 The above qualifications shall apply to all nurses occupying supervisory or
28 managerial positions across all health facilities.

29 **Sec. 55. Public Health Practice.** – Nursing service shall be organized and
30 operationalized in every local health agencies in order to ensure the nursing
31 component of public health programs. Thus, an ideal nurse in every barangay shall
32 be the thrust of public health in order to provide accessible, available, and affordable
33 quality health care to all. More so, a nurse in every school, may it be private or
34 public, shall be prioritized in every primary, secondary and tertiary educational
35 institutions in order to instill health awareness at an early stage and to improve the
36 health status of the students.

37
38 **Sec. 56. The Chief Nursing Officer (CNO).** - The nursing service and delivery of
39 healthcare in a public health practice or community set-up must be under the control
40 and management of the CNO. The CNO shall carry full administrative responsibility
41 and shall have the authority on planning, organizing, directing, and controlling of
42 public health nurses. A CNO must have a minimum of three (3) years practice in a
43 community setting as a Public Health Nurse, and must have at least five (5) years

1 experience in relevant nursing practice setting. In addition, the CNO in public health
2 agency must be a master's degree holder in relevant nursing practice setting,
3 conferred by an educational institution duly recognized by the Government of the
4 Philippines.

5
6 The CNO is responsible for the formulation of policies, strategic and operational
7 planning, financial plan and resource allocation, policies and procedure development,
8 professional and organizational involvement to address epidemiologic problems and
9 provide statistical data, and shall exercise good governance and accountability of the
10 nursing personnel in a public health setting. The CNO shall also act as the advocate
11 for the rights and welfare of public health nurses.

12
13 **Sec. 57. Nurse Supervisor (NS).** – The NS shall be in charge of planning,
14 organizing, directing and controlling activities within a demographic unit. A NS must
15 have a minimum of three (3) years practice in a community setting as the Public
16 Health Nurse, and must be a master's degree holder in Public Health Nursing.

17
18 **Sec. 58. The Public Health Nurse (PHN).** – The PHN shall perform the functions
19 and activities of health promotion, such as the prevention and treatment of various
20 diseases and illnesses in a particular public setting. The PHN shall exercise a
21 supervisory role to the midwives and barangay health workers within her catchment
22 area. The PHN shall initiate and participate in developing policies and guidelines to
23 promote basic nursing services.

24
25 **ARTICLE X**
26 **Prohibited Acts and Penal**

27
28 **Sec. 59. Prohibited Acts.** – Any of the following shall constitute unlawful and illegal
29 acts:

30
31 (a) Any person who is practicing the nursing profession in the Philippines:

- 32
33 1. Without a certificate of registration, professional license, professional
34 identification card, special permit or temporary permit or without
35 having been declared exempt from examination in accordance with
36 the provision of this Act;
- 37 2. Who uses a certificate of registration, professional license,
38 professional identification card, special permit or temporary permit of
39 another;
- 40 3. Who uses an invalid certificate of registration, professional license, a
41 suspended or revoked certificate of registration, professional license,
42 or an expired or cancelled special or temporary permits;
- 43 4. Who, by any means of misrepresentation, false evidence, or
44 concealment, obtained a certificate of registration, professional
45 license, professional identification card, special permit or temporary
46 permit;

- 1 5. Who falsely poses or advertises as a registered and licensed nurse or
2 uses any other means that tend to convey the impression that he/she
3 is a registered and licensed nurse;

- 4 6. Who appends "Nurse", "Nars", or "Nrs." before his or her name or
5 B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse) after
6 his or her name without having been conferred said degree or
7 registration; or

- 8 7. Who, as a registered and licensed nurse, abets or assists to the illegal
9 practice of a person who is not lawfully qualified to practice nursing;

- 10 (b) Any natural or juridical person, educational institutions offering BSN without
11 full compliance with the requirements prescribed by law, conducts review
12 classes for both local and foreign examination without permit/clearance from
13 the Board and the Commission, or conducts Continuing Professional
14 Development for nurses without accreditation from the Board; Or any natural
15 or juridical person or health facility who undertakes or offers *in-service* training
16 programs, for a fee and without permit/clearance from the Board and the
17 Commission;

- 18 (c) Any natural or juridical person or health facility who subscribes to sub-
19 standard quality of nursing care and/or nursing practice , such as non-
20 compliance with the nurse-patient ratio;

- 21 (d) Any natural or juridical person, health facility who exercises and promotes
22 precarious working conditions to nurses, such as, but not limited to, the
23 following:
 - 24 1. Contracting or availing of the services of a nurse either without salary,
25 for allowance, for salary below the applicable wage prescribed under
26 this Act, whether or not under the pretext of a training, development
27 program, certification course and /or seminar;

 - 28 2. Depriving or denying a nurse of the incentives and benefits as
29 provided for by the existing laws;

 - 30 3. Collecting any fees from a nurse or from any person or agent in his or
31 her behalf in exchange for a nurse's voluntary services in a health
32 facility;

 - 33 4. Requiring or obliging a volunteer nurse to perform the regular work
34 functions and/or regular work load expected from a regular staff nurse
35 employed by the health facility without proper compensation, to render
36 full-time service as a condition for the continued availment of his/her
37 volunteer services, and/or to be the sole nurse on duty, except during
38 disasters, calamities, and war;

 - 39 5. Contracting or availing of the services of a volunteer nurse, under the
40 pretext of OJT, contract of service, and/or job orders, in order to fill-up
41 a vacant position that requires the hiring of a full-time regular

1 employed nurse, or for free in exchange for any type of certification to
2 be issued by the health facility for purposes of the nurse's employment
3 application; or

- 4 6. Contracting or availing of the services of a nurse, under the pretext of
5 training or certification course, but requires the nurse to render the
6 tasks and responsibilities expected of a regular staff or public health
7 nurse, in violation of Section 47 hereof;

8 (e) Any violation of the provisions of this Act.

9 **Sec. 60. Sanctions.** – A fine of not less than one hundred thousand pesos
10 (P100,000.00) nor more than three hundred thousand pesos (P300,000.00) or
11 imprisonment of not less than one (1) year nor more than six (6) years, or both, upon
12 the discretion of the court, shall be imposed upon violation of any prohibited acts
13 enumerated in Section 59 (a) hereof.

14
15 A fine of not less than three hundred thousand pesos (P300,000.00) nor more than
16 five hundred thousand pesos (P500,000.00) and/or imprisonment of not less than
17 one (1) year nor more than six (6) years shall be imposed upon violation of any
18 prohibited acts enumerated in Section 59 (b), (c), (d), and (e) hereof. In addition,
19 suspension or revocation of license to operate may be granted upon the discretion of
20 the court.

21
22 **Sec. 61. Refund and Compensation.** – Any nurse found to have been a victim of
23 Section 59 (d) hereof shall be entitled to a full refund of all fees illegally collected and
24 payment of unpaid salary, which should not be less than the applicable wage for
25 services rendered.

26 **ARTICLE XI**
27 **Miscellaneous**

28
29 **Sec. 62. Implementing Agencies.** – The Department of Health is hereby designated
30 as the agency tasked with monitoring the compliance with and implementation of the
31 provisions of this Act by public health facilities. The Department of Labor and
32 Employment is designated as the agency tasked with monitoring the compliance with
33 and implementations of the provisions of this Act by private health facilities. The
34 Commission and the Board is designated as the agency tasked with monitoring the
35 compliance with and implementations of the provisions of this Act by educational
36 institutions, CPD providers and health facilities. The CHED is similarly designated as
37 the agency tasked with monitoring the compliance with and implementations of the
38 provisions of this Act by educational institutions with regard to nursing education
39 programs and its curriculum.

40
41 **Sec. 63. Appropriations.** – The amount necessary to carry out the provisions of this
42 Act shall be charged to the General Appropriations Act immediately upon effectivity
43 hereof.

44
45 **Sec. 64. Implementing Rules and Regulations.** – Within ninety days (90) after the

1 effectivity of this Act, the Commission, the Board, the APO, the Civil Service
2 Commission, the Department of Budget and Management, the Department of Health
3 and other concerned nursing organizations and government agencies, shall
4 formulate the implementing rules and regulations necessary to carry-out the
5 provisions of this Act. The implementing rules and regulations shall be published in
6 the Official Gazette or in the newspaper of general circulation.

7
8 **Sec. 65. Separability Clause.** – Should any provision of this Act be declared
9 unconstitutional, the remaining parts not affected thereby shall remain valid and
10 operational.

11
12 **Sec. 66. Repealing Clause.** – Republic Act No. 9173, otherwise known as the
13 "Philippine Nursing Act of 2002" is hereby repealed. All other laws, decrees, orders,
14 circulars, issuances, rules and regulations and parts thereof which are
15 inconsistent with this Act are hereby repealed, amended or modified accordingly.

16
17 **Sec. 67. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
18 in the Official Gazette or in any two (2) newspapers of general circulation in the
19 Philippines.

20
21 *Approved*